

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN**

231 COMMERCE, LLC,

Plaintiff,

Case No.: 15-894

v.

231 OUTFITTERS, LLC,
a Michigan Limited Liability Company,

SWEETWATER SEA, LLC,
a Michigan Limited Liability Company,

and

MICHAEL SUTHERLAND,
an individual,

Defendants.

Declaration of John Di Giacomo

Name: John Di Giacomo

Occupation: Counsel for Plaintiff

Case No: 15-894

I, John Di Giacomo, hereby declare:

1. I am the attorney of record for the Plaintiff in the above-entitled action and I am familiar with the file, records, and pleadings in this matter.
2. The Complaint was filed on September 3, 2015.
3. Defendant was served with Plaintiff's Complaint on September 4, 2015.
4. Defendant was required to file an Answer by September 25, 2015.
5. Defendant has failed to seek an extension of time to Answer from this Court.

6. Defendant has failed to appear, plead or otherwise defend within the time allowed and, therefore, is now in default.
7. Plaintiff requests that the clerk of the court enter default against the Defendant.

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA THAT THE FOREGOING IS TRUE AND CORRECT.

09/26/2015

Date

John Di Giacomo